

Notice of Allowability

Application No.

10/729,113

Examiner

Ismael Negron

Applicant(s)

PARKER ET AL.

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Appeal Brief filed December 14, 2006.
2. ☒ The allowed claim(s) is/are 1-37.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Donald L. Otto (Reg. No. 22,125) on March 21, 2006.

The application has been amended as follows:

Claim 1 (amended) A method of selecting a light redirecting film for a particular application comprising the steps of providing a length of film having a pattern of optical elements on or in the film that varies, selecting an area of the pattern that best suits a particular application, and removing the selected area from the film to provide the light redirecting film, the selected area having substantially less than a 100% of the total area of the pattern.

Claim 10 (amended) A method of selecting a light redirecting film for a particular application comprising the steps of providing a length of film having a pattern of individual optical elements of well defined shape on or in the film that varies, the optical elements being quite small in relation to a width and length of the film, selecting an area of the film that

has a pattern of the optical elements that best suits a particular application, and removing the selected area from the film to provide the light redirecting film, **the selected area having substantially less than a 100% of the total area of the pattern.**

Claim 20 (amended) A method of selecting an optical panel for a particular application comprising the steps of providing a length of substrate having a pattern of optical elements on or in the substrate that varies, selecting an area of the pattern that best suits a particular application, and removing the selected area from the substrate to provide the optical panel, **the selected area having substantially less than a 100% of the total area of the pattern.**

Claim 30 (amended) A method of selecting an optical panel for a particular application comprising the steps of providing a length of substrate having a pattern of individual optical elements of well defined shape on or in the substrate that varies, the optical elements being quite small in relation to a width and length of the substrate, selecting an area of the substrate that has a pattern of the optical elements that best suits a particular application, and removing the selected area from the substrate to provide the optical panel, **the selected area having substantially less than a 100% of the total area of the pattern.**

Allowable Subject Matter

3. Claims 1-37 are allowed.

4. The following is an examiner's statement of reasons for allowance:

Applicant teaches method of selecting a light redirecting film for a particular application, such method comprising the steps of providing a length of film having a varying pattern of optical elements on or in the film, selecting an area of the pattern that best suits a particular application, and removing the selected area from the film to provide the light redirecting film, the selected area having substantially less than a 100% of the total area of the pattern.

While film having a plurality of optical elements in a non-uniform pattern are old and well known in the art, no prior art was found teaching individually, or suggesting in combination, all of the features of the applicants' invention, specifically a method of providing such films by selecting and cutting a portion of a film having a pattern that best suits a given application, wherein the selected portion is substantially less than 100% of the area of the total area of the film.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ismael Negron whose telephone number is (571) 272-2376. The examiner can normally be reached on Monday-Friday from 9:00 A.M. to 6:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra L. O'Shea, can be reached on (571) 272-2378. The facsimile machine number for the Art Group is (571) 273-8300.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications maybe obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, go to <http://pair-direct.uspto.gov>. Should you have questions on access to Private PAIR system, contact the Electronic Business Center (EBC) toll-free at 866-217-9197.



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